

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TIMOTHY COLEMAN,

Plaintiff,

v.

DANE COUNTY SHERIFF,
DEPUTY FOLTMAN, DEPUTY TILLSMAN
and DEPUTY HAWLEY

Defendants.

ORDER

13-cv-565-bbc

TIMOTHY COLEMAN,

Plaintiff,

v.

MANITOWOC COUNTY SHERIFFS,

Defendant(s).

ORDER

13-cv-566-bbc

TIMOTHY COLEMAN,

Plaintiff,

v.

DANE COUNTY SHERRIFFS,

Defendant(s).

ORDER

13-cv-581-bbc

In response to this court's August 15, 2013, order, plaintiff Timothy Coleman has submitted a copy of his inmate account statement so that I can determine whether he qualifies for indigent status and, if he does, calculate an initial partial payment of the \$350 fee for filing this case. In determining whether a prisoner litigant qualifies for indigent status this court applies the formula set forth in 28 U.S.C. § 1915(b)(1). According to this formula, a prisoner requesting leave to proceed *in forma pauperis* must prepay 20% of the greater of the average

monthly balance or the average monthly deposits made to his prison account in the six-month period immediately preceding the filing of the complaint. Plaintiff's inmate account statement only covers a one-month period, from July 9, 2013 through August 11, 2013, because that is the amount of time he was in custody before he filed his three proposed complaints.

From the account statement plaintiff has submitted, I calculate his initial partial payments to be \$40.00 for each of his cases; 13-cv-565-bbc, 13-cv-566-bbc and 13-cv-581-bbc. Plaintiff is advised that he must pay the remainder of the fees in monthly installments even if his request for leave to proceed is denied. Plaintiff should show a copy of this order to jail officials to insure that they are aware they should send plaintiff's initial partial payments to this court.

ORDER

IT IS ORDERED that

1. Plaintiff Timothy Coleman is assessed \$40.00 as an initial partial payment of the \$350 fee for filing case no. 13-cv-565-bbc. He is to submit a check or money order made payable to the clerk of court in the amount of \$40.00 on or before September 18, 2013.
2. Plaintiff is assessed \$40.00 as an initial partial payment of the \$350 fee for filing case no. 13-cv-566-bbc. He is to submit a check or money order made payable to the clerk of court in the amount of \$40.00 on or before September 18, 2013.
3. Plaintiff is assessed \$40.00 as an initial partial payment of the \$350 fee for filing case no. 13-cv-581-bbc. He is to submit a check or money order made payable to the clerk of court in the amount of \$40.00 on or before September 18, 2013.

4. If, by September 18, 2013, plaintiff fails to make the initial partial payments or show cause for his failure to do so, he will be held to have withdrawn these actions voluntarily. In that event, the clerk of court is directed to close the files without prejudice to plaintiff's filing his cases at a later date.

Entered this 26th day of August, 2013.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge